

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

BRANDON GROCE,	:	
	:	
Petitioner,	:	Civ. No. 22-4296 (RBK)
	:	
v.	:	
	:	
UNITED STATES OF AMERICA, et al.,	:	<b>MEMORANDUM &amp; ORDER</b>
	:	
Respondent.	:	
	:	

Petitioner is a federal prisoner proceeding *pro se* with a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. Presently pending before this Court are two motions from Petitioner; namely: (1) Petitioner’s motion to supplement (*see* ECF 9); and (2) Petitioner’s motion for an extension of time to file a reply. (*See* ECF 16).

Petitioner seeks to add an ineffective assistance of appellate counsel claim in his motion to supplement. This motion will be granted. However, this Court reserves judgment on whether Petitioner’s claim raised in his motion to supplement is time-barred and/or fails on the merits as argued by Respondent. Such a decision will be made when the remainder of Petitioner’s claims are decided by this Court.

Petitioner has also filed a motion for an extension of time to file a reply brief in support of his § 2255 motion. (*See* ECF 16). Good cause appearing, Petitioner’s motion for an extension of time will be granted.

Accordingly, IT IS on this 12<sup>th</sup> day of January, 2023,

ORDERED that Petitioner’s motion to supplement (ECF 9) is granted; and it is further

ORDERED that Petitioner's motion for an extension of time to file a reply brief (ECF 16) is granted; Petitioner may file his reply brief within thirty (30) days of the date of this memorandum and order; and it is further

ORDERED that the Clerk shall serve this memorandum and order on Petitioner by regular U.S. mail.

s/ Robert B. Kugler  
ROBERT B. KUGLER  
United States District Judge